

MINUTES OF THE CLEAR CREEK ANNUAL DISTRIBUTION MEETING

February 9, 2000

Malta, Idaho

The meeting convened at the Raft River Rural Electric Association Building in Malta, Idaho February 9, 2000 at 2:00 p.m. The meeting was conducted by Lee Sim, of the Utah Division of Water Rights. There were no minutes of the previous year's meeting so Lee read from notes he had taken from the meeting last year.

Lee discussed the financial report from the previous year. The balance of the previous year's funds were \$352.02. Receipts were \$3,258.63. There were no expenditures because the commissioner was not paid this past year. The Division of Water Rights has not received the necessary documentation to get the commissioner on the payroll. Lee stated he would send a commissioner's packet of materials to Mr. Kempton so he can be put on the payroll. Vern indicated he would get the packet back as soon as possible once he had received it. The balance of the funds at the end of the year were \$3,340.65. The assessment was \$3,582.00. There were three accounts delinquent for a total of \$3,523.66. A motion was made by Harold Jones, seconded by Mont Campbell to accept the financial report, the voting was unanimous.

Lee then asked Vern Kempton to report on the activities on the Creek last year. A prepared report was passed out to the water users. Vern indicated he began to take water on the 19th of May. On the 22nd of May water was sent to Idaho. On May 28th, water was split between the two states. On July 6th, he began the twelve day run. The water was then returned back to Utah on July 22nd. According to Dave Sundberg, Idaho commissioner, on July 7th there was 12 cfs at the Idaho weir, and 23 cfs on the 8th, 11 cfs on the 15th and none by the 16th. There seems to be about a 6 cfs loss to seepage and evaporation between the gaging station and the Idaho weir. Inquiry was made by Lee as to how Vern was gathering his information. Vern indicated he carries a notebook and then records his readings later into his computer. Dave Sundberg indicates he has a stiff staff gage at the Idaho weir and he adds what is going thru the weir plus the amount diverted thru the two ditches just prior to the weir.

A motion was then made to accept the commissioner's report by Mont Campbell, seconded by Dave Sundberg, all approved.

Lee then discussed the budget for the upcoming year. Lee mentioned he was concerned about the commissioner not being covered by workmen's compensation and the Division will not pay him until we get him on the payroll and covered by insurance. The Division will send out another packet to get him signed up. Lee also mentioned that all parties on this system are responsible to pay the assessments. A motion was made by Larry Kempton to have the budget set at \$3,582.00 and assessment at \$3,582.00. A second was made by Dave Sundberg. The voting was unanimous.

Lee reminded the group of House bill 200 which will change the term of office of water commissioners from one year to a four years. The bill has been passed by the House and should pass the Senate also.

A motion was made Larry Kempton to nominate Vern Kempton as commissioner for the year 2000, seconded by Mont Campbell. The voting was three for, 1 against.

Bob Fotheringham passed out copies of measurements he gathered last summer on the creek at the old USGS stream gage. He took measurements during the months of June, July and August. He will continue to gather information on stream flows of Clear Creek again during the 2000 irrigation season. There were some corrections made to the owners Bob had listed in his report. Hyrum Campbell should read Ward Jensen, and Duane Campbell should read Mont Campbell. These flows were compared with the report submitted by Vern Kempton. His readings include the diversions. Dave Sundberg last year diverted water from the upper Utah diversions and was sent a letter reprimanding him for his actions. He questioned the accuracy of the report given by Vern Kempton. Changes in the diversion at the USGS gaging station are felt at the Idaho weir four hours afterward.

Lee then read the agreement setup between the Utah and Idaho water users and commented that parts of it would be difficult to implement. There are conflicts between the two commissioners and better communication is needed. Lee recommended that when Vern turns the water that he post notice at the Naf store.

With no further business the meeting was adjourned at 4:12 p.m.

Those attending the meeting were as follows:

Name	Representing
Lee Sim	Utah Division of Water Rights
John Larsen	Utah Division of Water Rights
Bob Fotheringham	Utah Division of Water Rights
Vern Kempton	Utah Commissioner
Dave Sundberg	Idaho Commissioner
Larry Kempton	Utah water user
Mont Campbell	Utah water user
Ward Jensen	Utah water user